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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,651	02/01/2002	Kumaresan Ramanathan	RAMAN-002XX	1824
26869	7590	12/02/2005	EXAMINER	
DEVINE, MILLIMET & BRANCH, P.A.			ALAUBAIDI, HAYTHIM J	
111 AMHERST STREET			ART UNIT	
BOX 719			PAPER NUMBER	
MANCHESTER, NH 03105			2168	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/061,651	<b>Applicant(s)</b> RAMANATHAN ET AL.	
	<b>Examiner</b> Haythim J. Alaubaidi	<b>Art Unit</b> 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. This Office Action is a Final Action in response to the amendment of August 19, 2005.
2. Claims 6 and 16-21 have been canceled.
3. Claims 1-5 and 7-15 are presented for examination.
4. The Examiner acknowledges the amendment to claims 4 and 5 in order to overcome the 112 rejections. Hence, all 112 rejections are hereby withdrawn.
5. Claims 1-5, 8, 10, 12 and 14, are rejected under 35 U.S.C. 102(e).
6. Claims 7, 9, 11, 13 and 15, are rejected under 35 U.S.C. 103(a).

### ***Priority***

7. Applicant's claim for domestic priority under 35 U.S.C. §119(e) is acknowledged. The Applicant was awarded the benefit of the earlier filing date of February 01, 2001.

### ***Response to Arguments***

8. Applicant's arguments with respect to claim 1-5 and 7-15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-5, 8, 10, 12 and 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephen Nelson (Microsoft Press, Microsoft Outlook 98 at a glance, 1998, and Nelson hereinafter) in view of Jason White (U.S. Patent No. 5,898,836 and White hereinafter).

Regarding Claims 1, 8 and 12, Nelson teaches:

Providing a unified message data store that automatically captures and stores all messages sent by a plurality of individuals in an organization and addressed to computerized devices of individually identified recipients within said organization (Page 9, i.e. Sent Items; see also Page 13; see also Page 24, i.e. Inbox)

receiving a user selection of at least one individual, wherein a user providing said user selection includes any member of said organization (Pages 43, 44 and 64-67, i.e. Senior Management<sup>1</sup>);

searching said message data store for at least one strategic information message associated with said individual and not addressed to said user (Pages 9, i.e. Public Folder; see also pages 158-159 and 194); and

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<sup>1</sup> "Senior Management" could be interpreted as an organization that is different from the rest of the members in the address book (another organization).

retrieving and displaying to said user said at least one strategic information message associated with said individual, whereby said user can adjust plans to align with said individual (Pages 26 and 28).

Nelson's reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate the strategic decision feature. However, White discloses strategic decision with messages, please White (Figures 5B, Element No's. 553 and 501; see also Figure No. 500, i.e. the Messages icon in the tool bar and the corresponding text of Figure 500). It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Nelson With the teachings of White by indicating a certain subject matter or a common object to group certain messages such as in White Figure No. 500, Element No. 505 as one would be motivated to do so in order to minimize the amount of search time and effort in determining or locating a certain group of individuals or a certain group of messages, also because White's system is usable a messaging system, please see White's Abstract (second full paragraph).

Regarding Claim 2, Nelson teaches wherein the step of providing said message data store comprises storing message information in said message data store when messages are sent by said computerized devices of said individuals in said organization, wherein at least on instance of said message information includes a

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plurality of links to other messages identified as the causes of said messages (Page 12; see also Page 28, i.e. the image in the bottom with all the information regarding the original message is attached).

Regarding Claim 3, Nelson teaches access permissions specified by said sender of each of said messages, and wherein only strategic information messages for which said user has access permission are retrieved and displayed (Pages 45-47; see also Page 158, i.e. element No. 6; see also Page 194).

Regarding Claim 4, Nelson teaches wherein said step of searching said data store (Page 9, i.e. Inbox) includes searching said data store for related messages (Page 9, i.e. e-mails) received by a sender (Page 9, i.e. e-mails received by Paula Thurman) of said at least one strategic information message (Page 9, i.e. subject of the e-mails for Paula Thurman) prior to sending said strategic information message (Page 34)<sup>2</sup>, and wherein at least some of said related messages are also retrieved and displayed (pages 24-26).

Regarding Claim 5, Nelson teaches receiving a user selection of more than one said related messages that are likely to be a cause of said strategic information message, and wherein said user selected related messages are retrieved and displayed (Pages 28-29).

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<sup>2</sup> The user or the owner of the Inbox can conduct such a search prior to sending an e-mail message.

Regarding Claim 10, Nelson teaches:

receiving from a computerized device of a sender contents of a message and at least one recipient of said message (Page 9, i.e. Sent Items; see also Page 13; see also Page 24, i.e. Inbox);

comparing said contents of said message (Page 28) to stored descriptions of duties of other members in said organization (Page 85, i.e. Details tab) to determine additional potential recipients of said message (Page 66)<sup>3</sup>;

displaying said additional potential recipients to said sender (Page 66);

receiving a user selection of at least one of said potential recipients to add as a selected additional recipient of said message (Page 66-67); and

transporting said message to a computerized device of said at least one recipient and to a computerized device of said at least one selected additional recipient (Page 67, i.e. send a message to a list; see also Page 34).

Regarding Claim 14, the limitations of this claim are similar in scope to the rejected limitations of both Claims 1 and 2 above, it is therefore rejected as set forth above.

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<sup>3</sup> Please note that The Examiner is interpreting the determining step above to be similar to the user's ability to conduct the same steps through the use of Microsoft Outlook manually; in addition the Examiner would also like bring the Applicant's attention to the court case regarding the automation of a manual process:

"merely using a computer to automate a known process does not by itself impart nonobviousness to the invention. See *Dann v. Johnston*, 425 U.S. 219, 227-30, 189 USPQ 257, 261 (1976); *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958)".

11. Claims 7, 9, 11, 13 and 15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of the Examiner's Official Notice.

Regarding Claims 7, 9, 11, 13 and 15, Nelson discloses all of the claimed subject matter set forth above, including the step of selecting from a group consisting of an e-mail message (Page 9), except the reference does not explicitly indicate instant messages, however the Examiner takes Official Notice that instant messaging software such as AOL Instant Messenger, Yahoo Messenger and MSN Messenger are notoriously well known software in the art. Given the intended broad application of Nelson's reference, it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Nelson by adding a well known program such as an instant messaging increase the system's flexibility by allowing a larger community of users to connect to the system or to use the system especially those who don't use or check their e-mails that often, and by doing so an increase in profit would also be possible as more users would be interested in such a system that is integrated with an instant messaging program.



12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Points of Contact***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (571) 272-4014. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (571) 272-446.

Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or Faxed at  
our central fax number (571) 273-8300.

Hand-delivered responses should be brought to the Customer Service Window of the  
Randolph Building at 401 Dulany Street, Alexandria, VA 22314



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Patent Examiner  
Technology Center 2100  
Art Unit 2168



**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**